

June 30, 1968

Senator Charles McN. Mathias  
United States Senate  
Washington, D.C. Attn Miss Carrie Johnson

Dear Max,

In response to your letter of June 23, preparing a chronology of my requests to the Archives would be an enormous undertaking. Instead, I give you some of it, the most recent, in the form of copies of the letters and comment on them. I think a glance at parts of the correspondence will establish the points, will show a deliberate slowdown, entirely unnecessary delay, and that some of the requests just stay unanswered.

My letter of May 27 is unanswered after a month. The first thing in it is the notation that my letter of April 7 was unanswered. It still is not answered. The first thing on the second page is my request to be put in a proper position to invoke the "Freedom of Information" law (duplicate and also without response to the Department of Justice and the Secret Service). It also contains, not for the first time, the question of the meaningless of "declassifying" files when there is no certain way of knowing what has been declassified or when. Even the statement of what charges were made against my deposit account, a simple inquiry, is unanswered. The Archivist's letter of May 16 is in it responded to in the fourth paragraph: "Everything in it is months old. These few things you sent me are all duplicates of what you earlier sent, in response to the same requests, some at least a half year old... all dating to last year or early this year (one of) last November earlier filled". There has been no denial because it is true.

This is not the first time I have asked to be provided with what I require to use the "Freedom of Information" law, but no government official has ever made any response. If I do not go through channels, with the proper procedures and applications, which requires forms, I would have no standing and I'd be automatically dismissed. How can you make the law you passed a facility and a deception, if not a fraud. I hope that, as a member of the Judiciary Committee, you will take particular note of this.

The requests of my letter of April 6 have never been answered.

My April 7 letter responds to the Archivist's of April 4. As above stated, there has been no response. The letter to me of April 6 is in evasion, not response, to an inquiry then in its third month. About two months earlier, when I met Dr. Rhoads in court, he promised I'd have a response "soon", as other correspondence discloses. One such letter is mine of March 22. In it I note that a minimum of two months elapses before I get any answer, untended. And I report unanswered requests in it.

My inquiry of March 5 was not responded to until May 16; and then in an unsatisfactory manner.

My February 28 request for an explanation of the reason, if any, for

delay in answering my request for the news on the pictures and X-rays, has never been answered.

My letter of February 28, which refers to an intrusion into the New Orleans trial by public statements, has never been directly responded to.

There has been no response to my inquiries of January 5 or is so lost in the built-in chaos that I have forgotten it.

And my letter of December 2 reveals that they were then taking two months to answer simple requests.

When you no longer need them, I'd appreciate the return of those letters.

My inquiries of others working in the field indicate that those not known to the Archives as associates of mine get prompt service but those who once did do not once it becomes clear they work with me. Of course, this could be a coincidence, but it does not seem so to me.

I can send you similar files for other agencies with different responsibilities. For example, well before the end of that administration, Fred Vinson Jr., assistant attorney general, informed me a review of the suppressed Ferris file was underway and would "soon" be completed. I have never been able to get anything further from him, his successor or the Archivist. My reason is simple and specific in my letters: I obtained a copy of one and it is not subject to restriction. I sought them, as is not often possible, in violation of the regulations, as they simply exercise raw power. So, every element of government behaves exactly as the Archives does, up to and including the new Attorney General. On May 23, 1966, I wrote J. Edgar Hoover, without response. After he issued a press release in November 1966 (referring to charges I had not yet made but would in the to-be-published second book - and I had never given him a copy of the manuscript, but parts that were needed were never delivered) I asked his press office for a copy, was promised it, never got it, wrote and asked for it, and never get it or an answer. I have asked the Navy for copies of its published regulations (on autopsies and the records of autopsies) and gotten neither them nor an answer. I'd still like these if you can get them.

This would be enough cause for worry about the state of our society and government if Congress had not enacted law to cover such situations. With the passage of such laws, how far, if more polite, are we than the totalitarian societies? It still shakes me.

I do not have the exact date the Memphis papers printed the transcript of the false broadcasts over the police radio leading away from Ray. It was after June 4, 1968, the day of the King murder. I have written two Memphis papers asking for them, without response. They are not essential for my writing, but they would be valuable for a complete record. I think the library would have little trouble locating them, for they were page-one, undoubtedly, in Memphis, and right after the murder. If this is not too much trouble for them, I would appreciate copies. And I do appreciate your offer. I will make few requests of this sort.

I do hope we have another opportunity for a long chat, preferably here (less than 10 minutes from your law office), where I can show you what I have. I have just had confirmation from one of the more conservative black leaders that they are silent on the King matter because they are according to Hoover's threat of blackmail. Also, I have three limited editions if you find time for reading. Our best to you all, and thanks.

Sincerely,

Harold Weisberg